

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

S&H DISTRIBUTION, LLC,

Plaintiff,

v.

MEYER LABORATORY, INC.,

Defendant.

Case No. 8:22-cv-00178

**DEFENDANT’S MOTION TO DISMISS**

Defendant Meyer Laboratory, Inc. (hereinafter, “Defendant”) hereby respectfully moves the Court to dismiss Plaintiff’s claims for: (1) violation of the Nebraska Uniform Deceptive Trade Practices Act, Neb. Rev. Stat. § 87-301 *et seq.*; (2) violation of the Nebraska Consumer Protection Act, Neb. Rev. Stat. § 59-1601 *et seq.*; (3) tortious interference with a business relationship; and (4) preliminary and permanent injunctive relief. Plaintiff’s Complaint and all claims asserted therein fail to plead sufficient facts to demonstrate a plausible claim upon which relief may be granted pursuant to Fed. R. Civ. Pro. 12(b)(6).

WHEREFORE, Defendant respectfully requests the Court grant the Motion to Dismiss and dismiss the Complaint and all claims asserted therein.

Dated this 18th day of May, 2022.

MEYER LABORATORY,  
Defendant,

By: /s/ Michael S. Degan

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### **CERTIFICATE OF SERVICE**

The undersigned does hereby certify that on May 18, 2022, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which sent notification to all CM/ECF participants, including the following:

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/s/ Michael S. Degan

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